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SUMMARY RECORD OF THE 744th MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 9 October 2001, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Uzbekistan (continued) (CRC/C/41/Add.8; CRC/C/Q/UZB/1; written replies of the Government of Uzbekistan to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, Ms. Narbayeva (Uzbekistan) took a place at the Committee table.

2. Ms. NARBAYEVA (Uzbekistan) said that Tajiks made up 5 per cent of the population and enjoyed all the rights of Uzbeks and other nationalities present in the State party, since no nationality was given differential treatment. Instruction was provided in seven languages, including the Tajik language.

3. Replying to a question relating to equal rights and opportunities in health care, education and leisure activities, she said that the national child health policy took account of basic social and economic conditions that were, in turn, affected by difficulties associated with the economic transition, climatic and environmental problems and the mentality of the population. Nevertheless, all children enjoyed equal access to health care regardless of their background, gender or nationality. The State health programmes in place were based on the concept that health care began before birth and that good health should be promoted at every stage of development with special attention paid to the health of future mothers and fathers. The State advocated childbearing from 20 to 30 years and a gap of three to four years between pregnancies; post-natal services, including home visits, were offered for mothers and newborns. World Health Organization (WHO) programmes on acute respiratory and diarrhoeal diseases and the United Nations Children's Fund (UNICEF) safe motherhood programme were implemented in the country; there was integrated monitoring of childhood illnesses in three regions of the Republic. The State party's efforts in the area of maternal and child health had been rewarded with a prize from WHO in 1999, and in 2000 six antenatal clinics had received child-friendly certificates. Attention was currently focused on vaccination against manageable diseases, and on a WHO recommendation, a new immunization timetable had been set in 1997; immunization coverage had gradually increased to virtually full coverage between 1990 and 2000. Improvements were being made to basic health care for children so as to reduce infant mortality and morbidity. There had been no reported cases of poliomyelitis since 1996 and it was hoped that the State party would soon be declared poliomyelitis-free.

4. Every child, up to the age of 14, was guaranteed a full medical examination on a yearly basis. Thirty-three new types of diagnostic techniques had been introduced to treat, inter alia, chronic pneumonia among children and chronic viral hepatitis. By virtue of a special Governmental decision, ambulances with modern medical equipment had been allocated to each region and periodically visited the most remote areas, operated by the charitable foundation Soglom Avlod Uchun ("for a Healthy Generation"), to conduct medical examinations, determine familes' health status and observe their living conditions. Needy families were provided with drugs and sick members treated. In order to treat iodine deficiency, the Government was now adding iodine to salt at salt mines located in certain regions, with the cooperation of UNICEF.

5. In 1998, the Government had begun to overhaul the health system with the aim of eradicating tuberculosis, combating drug abuse and improving health services in general. Quality of services left much to be desired, however, because of an insufficient number and amount of qualified staff and modern diagnostic equipment in out-patient clinics. The revised health programme also aimed to develop preventive medicine, boost the local pharmaceutical industry, as 85 per cent of drugs were imported, and improve the health budget as well as attract other sources of funding.

6. The education system spanned pre-school education, four years of primary and nine years of secondary education, followed by three years of compulsory vocational training; higher education comprised undergraduate and graduate studies up to the doctoral level with the subsequent possibility of skills retraining. There were three types of kindergarten, although kindergarten attendance had been falling due to working mothers taking greater advantage of three-year maternity leave. There were over 9,000 pre-school education facilities and the number of primary schools had increased by half since independence. Following the adoption of the new Education Act and the National Professional Training Programme Act in 1997, the education system had become less technocratic and more humanitarian and democratic so as better to prepare students for the future. In the early 1990s, the State party had, perhaps mistakenly, increased the duration of compulsory education, with the result that many students had left school without any skills and had been incapable of finding a job, which had led to a surge in juvenile delinquency. Under the revised system, new institutions had been established for young people who had not completed secondary school or vocational training.

7. As far as leisure activities were concerned, 62 per cent of all students were involved in organized recreational activities with particular emphasis on girls. Turning to the question posed on the mahallya and how child abuse was addressed, she explained that the mahallya was a sort of community association consisting of about 12,000 people, with a decision-making council of elders which monitored the proper exercise of children's rights and other matters and intervened in situations where rights had been violated. The next step after the mahallya was referral to a court of law.

8. In terms of measures to combat child abuse, first of all, the law prohibited any cruel, inhuman or degrading treatment or punishment of persons or exploitation of children and, in practice, it was traditionally forbidden to use corporal punishment when disciplining children under 5 years of age or even to raise one's voice to them; in fact the polite, rather than the familiar, form of address was used when speaking to children. The provisions of the Convention were given much coverage in schools and were familiar to teachers; to date, there had been no incidents of violence against children in schools. In any event, complaints relating to the violation of children's rights could be lodged by State or non-governmental organizations (NGOs) before guardianship bodies, which would place the child in care, if necessary.

9. Freedom of expression and freedom to receive and impart information were enshrined in the Constitution and other legal instruments and student councils existed to take account of students' views; students were also kept informed of current local and international events and information relating to official decisions was made accessible to the public. With regard to

freedom of conscience and religion, everyone was entitled by law to have the religion of his or her choice or not have any religion and no one, in particular minors, could be forced to practise or be instructed in any one religion.

10. In the past two years Uzbekistan had seen an increasing number of incidents involving religious fanatics, including youths. The Government had taken steps to stop them, in particular the arrest on criminal charges of some of the activists. Some of the persons who had been arrested were parents, but their children were in no way deemed to be guilty of the acts committed by their parents. The State provided special social assistance to all mothers and children who did not have the support of the breadwinner, regardless of the reasons.

11. Ms. AL-THANI asked whether children were able to practise their religion openly and freely in Uzbekistan. Could a 16-year-old go to a mosque or church without hindrance? Were certain mosques off limits to minors?

12. Ms. CHUTIKUL sought clarification of the circumstances surrounding the dissolution and replacement of the "Kamelot" youth organization. How did such actions fit in with a willingness to hear the views of children?

13. Ms. NARBAYEVA (Uzbekistan) said that the State guaranteed the right of children to practise any religion, but that such activities must take place outside of school. Children were able to visit any places of worship. The "Kamelot" youth fund, an NGO established shortly after independence to represent the interests of youth, had indeed been dissolved. The organization had undertaken profit-making commercial activities that were not in keeping with its original mandate, and it was the council of the organization itself that had decided to reorganize with a different status. A new youth and children's organization was being set up, with State support.

14. Special attention was paid to providing disabled children with preschool and extracurricular care, as well as vocational training. Modern integration techniques were used to include groups of disabled children in regular preschool establishments and schools. The national legislation included provisions for home schooling of disabled children if the parents preferred it, and provided such families with material assistance and certain preferential treatment. In addition, approximately 150,000 disabled children attended special schools for the disabled. The Government had adopted an ambitious special programme for the rehabilitation of disabled children, which had begun operating in 2001. A large number of disabled children were born in regions severely affected by environmental degradation. One of the programme's main aims was to prevent the birth of disabled children through effective screening during pregnancy, with abortion possible in the event of congenital anomalies, and screening for early treatment of children in the first weeks of life. Ten screening centres had been set up in the past two years, and the results had been encouraging. The programme also addressed the training of staff to work with disabled children and the improvement of prosthetic and orthotic services for such children.

15. Mr. DOEK, speaking as a member of the Committee, expressed concern about attitudes in society towards disabled children. There was reportedly a reluctance on the part of many people to accept disabled people as a part of society. If that was the case, what measures had the Government taken to encourage more tolerance of disabled persons? There had been reports of

harsh treatment of students at a girls' school, including the shaving of heads as a disciplinary measure. Were there any supervisory mechanisms such as court reviews when children living in institutions were put up for adoption? If not, he expressed concern that adoptions, in particular by foreigners, could be arranged by the institutions for monetary gain. Lastly, there had been a number of reports of ill-treatment of children detained by the police, including the use of very forceful means to extract confessions. Was the State aware of such cases, and had it taken any preventive measures?

16. Ms. TIGERSTEDT-TÄHTELÄ, noting that in the Government's report and presentation the concept of the family was often limited to the mother and child, asked what role the father played in the family. Maternity leave was quite generous, and could extend to three years. Had the Government considered instituting a system of paternity leave?

17. Ms. OUEDRAOGO asked whether children enrolled in specialized schools were able to maintain contact with their families.

18. Ms. NARBAYEVA (Uzbekistan) said that generally, people with disabilities were not well accepted in society. That underscored the need to prevent disabilities, to assist young parents in dealing with their children's disabilities and to improve attitudes towards people with disabilities in general. The special programme for the rehabilitation of disabled children made provision for a range of measures aimed at improving the situation of the disabled in Uzbek society.

19. There were over 100 NGOs engaged in work with women and 50 working with children in Uzbekistan. While the women's NGOs had formed a single association that worked closely with the Government, the children's NGOs had not, and operated more independently. In mid-2001, the Government had called for a joint dialogue on children's issues with the aim of establishing such an association.

20. The environmental disaster in the Aral Sea was well known. It had led to severe soil and water pollution, complex pathologies, increases in maternal and child mortality and a rise in immune deficiencies. The Government had devoted special resources to overcoming such effects. It had issued a specific decree under which women and children were provided with foods and medicines. Children and their mothers living in the affected regions were sent to vacation establishments and resorts for treatment. A programme funded by the World Bank aimed at ensuring access to safe drinking water had resulted in an improvement of water quality.

21. Uzbek tradition encouraged families to have many children. However, current studies indicated that about 60 per cent of women of childbearing age in towns and 70 per cent in the countryside suffered from anaemia or glandular deficiencies, principally as a result of poor nutrition. The environmental disasters in the North had made matters worse. In such circumstances, the risk of underdevelopment or illness among newborns was high. Because of iodine deficiencies, there had been an increase in thyroid disorders, including hypothyroidism, which called for special measures. Contraceptives were generally available in Uzbekistan, and the Government was planning new efforts to prevent unwanted pregnancies. The number of abortions had decreased by four times in recent years.

22. Although the suicide rate among youths was not high, the Government had undertaken special measures to prevent suicides. A family support and research centre studied problems affecting women and children, and had established 14 regional branches throughout the country. It had undertaken to determine the causes of suicide, and had in 2001 established a hotline and crisis centre. Three regional administrations had established social adaptation centres for children with relational or family problems.

23. Ms. NARBAYEVA (Uzbekistan) said that she had visited the specialized vocational school for young female offenders and found no evidence of ill-treatment by staff. The girls she had spoken to seemed satisfied with their living conditions and the way they were treated, and they had the right to maintain contact with their parents. As for the preparations for marriage mentioned by Ms. Ouedraogo, the school had not arranged any marriages but merely helped organize the weddings at the request of the girls concerned. It should be remembered that staff at the school in many ways took on a parental role, as the girls in their care came from problem families where, for one reason or another, the parents were not always able to perform their parental duties properly.

24. It was true, as Ms. Tigerstedt-Tähtelä had pointed out, that the report tended to focus on women and children, to the exclusion of men. Even the research centre set up in 1998 to study family traditions had tended to concentrate on areas such as reproductive health and childbirth, although its work actually covered the whole extended family. In its new programme of work, the centre would be paying more attention to men, who were often, after all, the family's main breadwinner.

25. On the child's right to be heard, she said that the Constitution guaranteed the child's right to freedom of thought, conscience and religion and the new Criminal Code backed up that guarantee, requiring, for example, the presence of a paediatrician in court cases involving juveniles. Under the Family Code, the child's views had to be taken into account in decisions on paternity and adoption. Any young people brought before a mahallya had to be accompanied by their parents and a teacher.

26. In cases of adoption, the child's best interests were the overriding priority. The adoption procedure was overseen by a hakim, or judge. By law, a prospective adoptive parent had to be at least 15 years older than the child, unless he or she was the child's stepmother or stepfather. People with certain disabilities or mental problems, people convicted of crimes and people who had previously adopted a child but had been found unsuitable to be adoptive parents, as well as anyone who had been stripped of all or any of their parental rights, were not allowed to adopt. The confidentiality of adoption was protected by law. If the child was over the age of 10, he or she had to agree to the adoption, although in certain circumstances the child's agreement was not required. In the case of children in State-run homes, the person in charge of the home could give permission in lieu of the parents. Adopted children had the same rights as the biological children of adoptive parents and they also kept any rights, such as the right to maintenance, they might have enjoyed before adoption. Their name could not be changed without their consent.

27. The CHAIRPERSON, speaking as a member of the Committee, said he would like to know whether the courts were involved in adoptions of children in care, to protect them from being sold to foreigners, for example, and what the procedure was for adoptions involving foreign parents.

28. Ms. NARBAYEVA (Uzbekistan) said that the adoption of a child in care was strictly supervised by the bodies with trusteeship of the child and the law was strictly enforced in such cases. Foreigners could adopt Uzbek children, but only if they had some representation in the country, such as an embassy, and all the formalities were completed. She added that children had the right to know who their biological parents were; in any case, unless they were very small, they already realized that their adoptive parents were not their birth parents.

29. The CHAIRPERSON, speaking as a member of the Committee, said that there were reports that children in care had been very badly treated by staff in the institutions caring for them, and that force had been used on children in police stations to extract confessions. He would like to know what was being done to prevent such ill-treatment.

30. Ms. NARBAYEVA (Uzbekistan) said that children's institutions were the responsibility of the Ministry of Internal Affairs, which sent inspectors to ensure that the institutions complied fully with the regulations. The inspectors, who also visited the places where children were held in detention, received periodic training from psychologists, doctors and child experts on how to deal with children.

31. The CHAIRPERSON invited members of the Committee to comment on or ask questions about basic health and welfare, education, leisure and cultural activities and special protection measures. Speaking as a member of the Committee, he raised the general question of the chronic lack of resources for children's health and education in Uzbekistan. Clearly the Government had good intentions and had taken many measures in those areas, but he wondered just how effectively those measures were being implemented. For example, school enrolment rates, while still high, were falling; even though many children had been given warm winter clothing, the schools they attended appeared to be in a chronic state of disrepair; and fees had had to be introduced for some health-care services. He would like to know, in particular, whether all textbooks and learning materials were provided free of charge.

32. The situation regarding juvenile justice was unclear. According to paragraph 291 of the report, criminal liability was engaged from the age of 14 for certain serious offences, or 13 in exceptional circumstances: did that mean that children aged 16 and 17 were treated as adults in respect of criminal liability? He would also appreciate some details on how the child's entitlement to legal assistance, described in paragraph 299 of the report, worked in practice. Was the legal counsel appointed and paid for by the State, or was the child expected to find and pay for a private lawyer? Might a child be deprived of legal assistance if he or she could not afford to pay for a lawyer?

33. Ms. CHUTIKUL sought clarification on the question of child labour in the agricultural sector, noting that it was reportedly on the increase even though it was prohibited. She also wished to know more about the involvement of mahallya committees in court decisions in cases where juveniles admitted to minor offences. Did they take part in the actual court hearing and did they receive any special training?

34. Mr. CITARELLA said he would appreciate an explanation of why, when there appeared to be no problem with religious freedom in schools, some pupils had been sent home a few years earlier for wearing religious dress and had not been allowed to re-enrol in the subsequent academic year. He would also like some information on the reported closure of schools in September and October each year to allow children to be used to bring in the cotton harvest.

35. On the question of juvenile justice, he noted that there were no special juvenile courts or separate facilities for the detention of young offenders, who must therefore be held in the same buildings as adults. He was concerned that children in conflict with the law did not appear to have access to legal assistance from the first moment of their detention and sometimes had to wait for weeks for such assistance. He asked whether it was true that children could be held in pre-trial detention for anywhere between eight months and two years if a judge so decided.

36. Ms. AL-THANI said she would like to know how there could have been such a significant increase in the number of cases of tuberculosis when anti-tuberculosis vaccination coverage was close to 100 per cent.

37. Ms. TIGERSTEDT- TÄHTELÄ said she was beginning to have some idea of what the functions of the mahallyas were, but would like to know if there were any locally elected bodies responsible for such tasks as building or repairing roads, and whether funding for that kind of work was provided through taxes or through the State budget.

The meeting was suspended at 4.50 p.m. and resumed at 5.10 p.m.

38. Ms. NARBAYEVA (Uzbekistan), referring to a suggestion that additional resources should be allocated to specialized institutions for disabled children, said that steps were being taken to ensure a more effective distribution of resources over the entire education system. A national professional training programme had been prepared to identify key areas to be addressed. Almost 10 per cent of the State budget was spent on education, some of which was earmarked for disabled children. Replying to a question about school supplies, she said that children from very low-income families received free books, school supplies and clothing from the State. In 2001, a programme had been initiated whereby other children could borrow schoolbooks for a small fee if their families could not afford to buy them. Replying to a question by Mr. Citarella, she acknowledged that some girls had been suspended from secondary school for wearing religious clothing rather than the compulsory school uniform, but appropriate measures had since been taken and the problem had been resolved.

39. On the issue of child labour, she said that there was no decree governing the involvement of children in the agricultural sector. Since the authorities had initiated the process of land distribution, children were beginning to participate more in the work on family allotments, in

particular during harvest-time. It was true that schools used to be closed during the harvest but that was no longer the case. Such activities took place after school hours and did not interfere with homework.

40. On the issue of juvenile delinquency, she said that the age of criminal responsibility was set at 14 for serious crimes and at 16 for less serious crimes. The benign disposition of the Uzbek State was reflected in the Uzbek Code of Criminal Procedure, which provided for certificates of good conduct or release under surveillance. The Code of Criminal Procedure also contained provisions for addressing the issue of criminal acts committed by a person under the age of 18. Minors could be arrested only in exceptional cases and were entitled to the services of a lawyer, paid for by the State. The maximum punishment was deprivation of liberty for three years. Pursuant to a presidential decree granting an amnesty on the occasion of the proclamation of 9 May as Remembrance and Veneration Day, persons who committed crimes while still minors were released from their punishment, including both custodial and non-custodial sentences. In such cases, young offenders were either sent to centres run by the hokimyats (mayors' offices) where they were provided with work and supervision, or they returned to their families. Replying to a question about the role played by the mahallyas (associations of families living in the same area which acted as organs of local authority) in juvenile crime, she said that if a delinquent committed a minor offence, it was preferable for the child to receive guidance from the mahallya rather than be sent to court. The mahallya would discuss the issue with the child's parents and teachers and would issue recommendations on the steps to be taken. If a juvenile did have to appear in court, the parents had to be present together with a teacher, pedagogical expert or child psychologist. Young offenders who were serving prison sentences were not kept with adult inmates. The Government had approved a programme that provided for the development of a system of juvenile law and a group of experts was currently researching the matter.

41. On the issue of tuberculosis, she said that there had been an increase in cases among the adult population because many had not received the BCG vaccination, but the immunization coverage had increased and progress was being made to eliminate the disease.

42. With regard to funding for infrastructure, the mahallyas were primarily involved in matters of social protection, education and the upbringing of children, whereas the building of infrastructure was the State's responsibility. Nevertheless, many mahallyas had wealthy members who funded the construction of schools and other social infrastructure in their territory. Replying to a question by the Chairperson about whether there were locally elected councillors as well as the mahallyas, she said that local authorities such as the councils of people's deputies and regional chief administrators were elected at regional, district and city level.

43. The CHAIRPERSON said that Uzbekistan was experiencing more economic problems that it had 15 years earlier; people still had to pay a fee for health care and education and low-income families were still struggling to afford the cost of daily living. As a result, more children were working on the streets to earn money for their families, and according to reports, many were becoming involved in prostitution in order to generate an income. The matter needed clarification and statistics on the phenomenon of sexual exploitation of children in Uzbekistan should be provided.

44. Ms. NARBAYEVA (Uzbekistan) said it was true that in many towns, children could be found on the streets selling tobacco or food to support their families, and although the Government did not approve, she stressed that it did not affect their schooling. The Government had adopted a programme to create jobs for the working population over a five-year period and was implementing measures to simplify procedures for establishing small- and medium-sized enterprises, which would hopefully reduce the number of children working on the streets to support their families. The State constantly monitored compliance with the legislation on juvenile labour. With regard to child prostitution, the Ministry of Internal Affairs had set up a special department to address the problem of prostitution, drug abuse and gambling, and was monitoring 17 juveniles who had been found guilty of immoral conduct.

45. The CHAIRPERSON said that he welcomed the fact that, despite the country's social and economic difficulties, the State party had taken a series of measures to improve the implementation of the provisions of the Convention, including the introduction of new legislation. It was clear that human and financial resources were limited; therefore the State party would have to make choices about where its priorities lay. In its formal concluding observations, the Committee would make recommendations, which should be seen as a starting point for further measures to be taken by the Government. It was clear that Uzbekistan had a good relationship with UNICEF and could count on the support of many NGOs.

46. Ms. NARBAYEVA (Uzbekistan) said that the implementation of the Convention could be improved further, particularly regarding children in need of special protection, and Uzbekistan was fully committed to the task. She appreciated the Committee's understanding of the precarious political, economic, social and spiritual situation of the country, which had made it difficult to guarantee the rights of children. The Government would rely heavily on NGOs both to disseminate information about the Convention and to implement its provisions.

47. The CHAIRPERSON urged Uzbekistan to approve the amendment to article 43 of the Convention, increasing the number of Committee members from 10 to 18.

The meeting rose at 5.45 p.m.